

REMARKS

The above amendments and these remarks are responsive to the Office action dated September 12, 2005. Prior to this Amendment, claims 1 through 12 were pending in the application. In the Office action, claims 1 through 12 were rejected.

Upon entry of the amendments in this response, claims 1-12 remain pending in the present application. More specifically claims 1-3 are directly amended. It is believed that the foregoing amendments and additions add no new matter to the present application.

1. Claim rejections under 35 USC § 112:

Claim 1-3 stand rejected under 35 USC § 112.

With respect to the 112 rejection, Examiner states: "Claim 1 recites the limitation 'the generic access requests' in step (c). lines 5-6. There is insufficient antecedent basis for this limitation in the claim.... Clarification or correction is required. Claims 2 and 3 have similar problems. "

In response to Examiner's 112 rejections, applicants have amended claims 1-3 so that all terms have sufficient antecedent basis. In view of these amendment, applicants respectfully assert that there is now sufficient antecedent basis and that the 112 rejections of claims 1-3 should be removed. Accordingly, removal of the 112 rejection is respectfully requested.

2. Claim Rejections under 35 U.S.C. §102

Claims 1-12 stand rejected under 35 U.S.C. §102(e) as being anticipated by Buriss et al. For a 35 U.S.C. §102 reference to anticipate a claim, the reference must teach every element of the claim. MPEP §2133 recites:

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A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

It is respectfully asserted that Buriss is directed to a generic interface layer to a hardware environment for an executing program. There is no indication that the executing program interacts with the generic interface layer to generate print jobs. In fact, Buriss discloses nothing about print jobs or methods of generating print jobs.

Moreover, it is respectfully asserted that contrary to the Examiner's assertions, nowhere does Buriss disclose ANY of the elements of independent claim 1, independent claim 2 or independent claim 3.

Accordingly, Applicants assert that independent claims 1-3 are not anticipated by the cited reference and the rejection should be withdrawn.

If the independent claims are not anticipated over the prior art of record, then dependent claims 4-12 are also not anticipated as a matter of law, because these dependent claims contain all features/elements/steps of their respective independent claims. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

Conclusion

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-12 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (208) 396-5263

Date: 12/9/05

Respectfully submitted,

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